

In re Patent Application of:

PHILLIPS ET AL

Serial No. 10/706,142

Filed: 11/12/2003

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REMARKS

Prior to the present amendment, claims 1-7 were pending. With the cancellation of claim 2, claims 1 and 3-7 are currently pending. Reconsideration of this application in light of the attached RCE, amendment of October 2, 2006, the foregoing amendments, and following remarks, is respectfully requested.

In an effort to eliminate a potential issue of new matter, referenced in the continuation of note 3 of the advisory action of October 23, 2005, as well as the rejection of claim 2 under 35 U.S.C. 112, the objected-to amendments to page 9 of the specification, as well as claim 2, have been cancelled, thereby consolidating the issues to the rejections of claims 1 and 3-7 under 35 U.S.C. 103.

Applicants respectfully request favorable reconsideration of such rejections based upon the contents of the response of October 2, 2006, including the submitted showings and remarks, to the office action of May 2, 2006.

Please note that a request for a 3-month extension of time is being filed herewith.

Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

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Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 50-1465 and please credit any excess fees to such deposit account.

Respectfully submitted,

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October 31, 2006

date

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